THE UNITED NATIONS
AND
THE QUESTION OF PALESTINE

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1

HISTORY

THE QUESTION OF PALESTINE BEFORE THE UNITED NATIONS

When the United Nations was founded in San Francisco on 26 June 1945, Palestine was a territory administered by the United Kingdom under a Mandate received in 1922 from the League of Nations.

Among the issues that had to be dealt with by the Mandatory Power was the question of a Jewish home in Palestine. Increasing Jewish immigration to Palestine was strongly opposed by the Arab inhabitants, who in the mid-1940s comprised about two thirds of the territory's population of two million. Faced with escalating violence, the United Kingdom decided, in February 1947, to bring the question of Palestine before the United Nations.

Drawing attention to "the desirability of an early settlement in Palestine", the British Government asked that a special session of the General Assembly be called immediately in order to constitute and instruct a special committee to prepare a preliminary study on the question of Palestine for consideration by the Assembly at its next regular session.

At the first special session, convened by the General Assembly on 28 April 1947, a special committee on Palestine was established. Five Arab countries—Egypt, Iraq, Lebanon, Saudi Arabia and Syria—tried unsuccessfully to include in the special session's agenda an item which would address "the termination of the Mandate over Palestine and the declaration of its independence". The Jewish case was presented by the Jewish Agency for Palestine, while the Arab Higher Committee spoke for the Palestinian Arabs.

At the special session, the Assembly established the United Nations Special Committee on Palestine (UNSCOP), made up of 11 Member States, to investigate all questions relevant to the problem of Palestine and to recommend solutions to be considered by the regular session in September 1947. During the course of its three-month investigation, the Special Committee went to Palestine, Lebanon, Syria and Trans-Jordan, and also visited the displaced-persons camps in Europe, which had been ravaged by the Second World War and had experienced the tragedy of the European Jews under Nazism.

While Jewish organizations cooperated with UNSCOP in its deliberations, the Palestinian leadership in the Arab Higher Committee decided not to participate, on the grounds that the United Nations had refused to address the question of independence and failed to separate the issue of Jewish refugees of Europe from the ques-

tion of Palestine. The natural rights of the Palestinian Arabs were self-evident and should be recognized, it said, and could not continue to be subject to investigation.

The Jewish leadership maintained before the Special Committee that the issues of a Jewish State in Palestine and unrestricted immigration were inextricably interwoven. The Arabs, represented by the League of Arab States, sought the immediate creation of an independent Palestine west of the Jordan River.

The Special Committee completed its work on 31 August 1947, with the members agreeing on the question of terminating the Mandate, the principle of independence and the United Nations' role. But there was no consensus on a settlement of the question of Palestine. The majority of the Committee (Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay) recommended that Palestine be partitioned into an Arab State and a Jewish State, with a special international status for the city of Jerusalem under the administrative authority of the United Nations. The three entities were to be linked in an economic union. The minority plan, submitted by India, Iran and Yugoslavia, proposed an independent federal structure comprising an Arab State and a Jewish State, with Jerusalem as the capital of the federation. Australia, the remaining member of UNSCOP, abstained from voting on either plan because it maintained that the recommendations exceeded the Committee's terms of reference.

THE PLAN OF PARTITION

At its second regular session, after an intense two-month-long debate, the General Assembly, on 29 November 1947, adopted resolution 181 (II), approving with minor changes the Plan of Partition with Economic Union as proposed by the majority in the Special Committee on Palestine. The Partition Plan, a detailed four-part document attached to the resolution, provided for the termination of the Mandate, the progressive withdrawal of British armed forces and the delineation of boundaries between the two States and Jerusalem. It called for the creation of the Arab and Jewish States not later than 1 October 1948. Palestine was to be divided into eight parts: three parts were allotted to the Jewish State and three to the Arab State; the seventh, the town of Jaffa, was to form an Arab enclave within Jewish territory; and the international regime for Jerusalem, the eighth division, would be administered by the United Nations Trusteeship Council.

The Plan also set out the steps to be taken prior to independence, dealing with citizenship, transit, the economic union and a declaration to be made by the provisional Government of each proposed State regarding access to holy places and religious and minority rights. By resolution 181 (III), the Assembly also set up the United Nations Palestine Commission to carry out its recommendations, and requested the Security Council to take the necessary measures to implement the Partition Plan.

The Jewish Agency accepted the resolution despite its dissatisfaction over such matters as Jewish emigration from Europe and the territorial limits set on the proposed Jewish State. The Plan was not accepted by the Palestinian Arabs and Arab States, on the grounds that it violated the provisions of the United Nations Charter, which granted people the right to decide their own destiny. They said that the Assembly had endorsed the Plan under circumstances unworthy of the United Nations, and that the Arabs of Palestine would oppose any scheme which provided for the dissection, segregation or partition of their country, or which gave special and preferential rights and status to a minority.

END OF THE BRITISH MANDATE

The adoption of resolution 181 (II) was followed by outbreaks of violence in Palestine. As the situation deteriorated, the Security Council called for a special session of the General Assembly, which met from 16 April to 14 May 1948. On 17 April, the Security Council called for the cessation of all military and paramilitary activities in Palestine, and on 23 April it established the Truce Commission to supervise and help bring about a cease-fire. For its part, the General Assembly relieved the Palestine Commission of its responsibilities and decided to appoint a mediator charged with promoting a peaceful settlement in cooperation with the Truce Commission. On 20 May, Count Folke Bernadotte, President of the Swedish Red Cross, was chosen as United Nations Mediator.

On 14 May 1948, the United Kingdom relinquished its Mandate over Palestine and disengaged its forces. On the same day, the Jewish Agency proclaimed the establishment of the State of Israel on the territory allotted to it by the Partition Plan. Fierce hostilities immediately intensified between the Arab and Jewish communities. The next day, regular troops of the Arab States entered the territory to assist Palestinian Arabs.

The fighting was halted after several weeks, through a four-week truce called for by the Security Council on 29 May. The truce went into effect on 11 June, and was supervised by the United Nations Mediator with the assistance of a group of international military observers which came to be known as the United Nations Truce Supervision Organization (UNTSO). Despite the efforts of the Mediator, no agreement could be reached on an extension of the truce, and fighting broke out again on 8 July.

On 15 July 1948, the Security Council decided that the situation in Palestine constituted a threat to the peace. It ordered a cease-fire and declared that failure to comply would be construed as a breach of the peace requiring immediate consideration of enforcement measures under Chapter VII of the United Nations Charter. In accordance with the resolution, the second truce came into force. By that time, Israel controlled portions of the territory allotted to the Arab State by the Partition Resolution, as well as the western part of Jerusalem; and Arab forces controlled areas allotted to the Jewish State. Egyptian, Iraqi and Jordanian forces held portions of Gaza and the West Bank of the Jordan River, which included East Jerusalem. More fighting took place in October 1948 and March 1949,

during which Israel captured other areas, some allotted to the Arab State and some to the Jewish State. In 1950, Jordan brought the West Bank (and East Jerusalem) formally under its jurisdiction pending a solution to the problem.

The hostilities also created a major humanitarian crisis, with almost 750,000 Palestinians being uprooted from their land and becoming refugees.

While in the middle of negotiations between the parties, Count Bernadotte was shot and killed on 17 September 1948 in the Israeli-held sector of Jerusalem. Ralph Bunche, of the United States, was appointed as Acting Mediator.

Between February and July 1949, under United Nations auspices, armistice agreements were signed between Israel, on the one hand, and Egypt, Jordan, Lebanon and Syria on the other. The agreements, which were similar in general content, accepted the establishment of the armistice as an indispensable step towards restoring peace in Palestine. They also made clear that the purpose of the armistice was not to establish or recognize any territorial, custodial or other rights, claims or interests of any party.

In August of 1949, the Security Council called for UNTSO observers to supervise the armistice. UNTSO observers remain stationed in the Middle East in accordance with Council decisions.

Meanwhile, on 11 May 1949, Israel became a member of the United Nations. In admitting Israel, the General Assembly specifically took note of Israel's declarations and explanations made earlier to the Assembly's Ad Hoc Political Committee regarding the implementation of resolutions 181 (II) and 194 (III). Those declarations and explanations referred to, among other things, the international regime envisaged for Jerusalem, the problem of Arab refugees and boundary questions.

At its third regular session, on 11 December 1948, the General Assembly had adopted resolution 194 (III), which delineated ways to resolve the Palestine problem. Following suggestions contained in the report prepared by Count Bernadotte to find a solution to the increasingly intractable situation in Palestine, the Assembly declared that refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that those choosing not to return should be compensated for their property. It called for the demilitarization and internationalization of Jerusalem and for the protection of, and free access to, the holy places in Palestine.

Resolution 194 (III) also provided for the establishment of a three-member United Nations Conciliation Commission for Palestine, which was to assume the functions of the United Nations Mediator

in so far as it considered necessary. It was instructed to assist the parties in achieving a final settlement on all outstanding questions and to facilitate the refugees' repatriation, resettlement and economic and social rehabilitation. The Assembly subsequently named France, Turkey and the United States to the Commission.

The Conciliation Commission tried to resolve three major issues, involving the size of the territories, the refugees and the status of Jerusalem. Through separate talks with Arab States (Egypt, Jordan, Lebanon and Syria) and Israel at a conference in Lausanne in April 1949, it obtained a protocol, signed separately by each side, agreeing to use the boundaries established in the Partition Resolution as a basis for discussion. However, the 1949 meetings of the Commission ended inconclusively, with the Arab States pressing for the refugees to be returned as a first step, and Israel insisting on the territorial question being given priority.

Later efforts by the Commission to secure the return of the Palestinians and establish an international regime for Jerusalem were also unsuccessful. Since 1951, the Commission has tried to secure the complete release of Arab refugee bank accounts blocked in Israel. In 1964, it completed the identification of Arab refugee property, and it maintains lists of such property.

In periodic reports submitted to the General Assembly since 1952, the Commission has repeatedly drawn attention to the fact that its efforts to advance matters towards the implementation of resolution 194 (III) depend on substantial changes in the attitudes of the parties. The provisions of that resolution on the right of Palestinian refugees to return have been reasserted by the Assembly virtually every year since 1948.

THE 1967 WAR AND RESOLUTION 242

With the question of Palestine unresolved, an uneasy peace, punctuated by violence and acts of force, was maintained in the region until 1967, when a turning point was reached in Middle Eastern affairs. In that year, Israel came to occupy the entire area of the former British Mandate of Palestine.

Armed conflict had erupted in 1956, when, on 29 October, Israel had begun military operations against Egypt, joined later by France and the United Kingdom. In a politically charged atmosphere, Egypt had nationalized the Suez Canal in July of that year. The crisis had ended with a cease-fire called for by an emergency special session of the General Assembly, the eventual withdrawal of the invading forces, and the deployment of the United Nations Emergency Force (UNEF I)—the first United Nations peace-keeping force.

UNEF I was withdrawn in May 1967 at the request of Egypt, which had informed the Secretary-General that it would no longer consent to the stationing of the force on Egyptian territory and in Gaza. On 5 June 1967, hostilities broke out between Israel and Egypt, Jordan and Syria. By the time a cease-fire called for by the Security Council was accepted by the parties, Israel had occupied the Sinai, the Gaza Strip, the West Bank including East Jerusalem, and part of the Syrian Golan Heights.

After the cease-fire was secured, the Security Council adopted resolution 237 (1967), calling upon Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place, and to facilitate the return of the displaced persons. The Governments concerned were asked to respect scrupulously the humanitarian principles governing the protection of civilian persons in time of war contained in the Fourth Geneva Convention of 1949. At its fifth emergency special session, convened after the fighting began, the General Assembly called upon Governments and international organizations to extend emergency humanitarian assistance to those affected by the war. The Assembly asked Israel to rescind all measures already taken and to desist from taking further action which would alter the status of Jerusalem.

Later that year, on 22 November, the Security Council unanimously adopted, after much negotiation, resolution 242 (1967), laying down principles for a peaceful settlement in the Middle East. The resolution stipulates that the establishment of a just and lasting peace should include the application of two principles: "withdrawal of Israel

armed forces from territories occupied in the recent conflict" and "termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force". The resolution affirms the need for "achieving a just settlement of the refugee problem".

Egypt and Jordan accepted resolution 242 (1967) and considered Israeli withdrawal from all territories occupied in the 1967 war as a precondition to negotiations. Israel, which also accepted the resolution, stated that the questions of withdrawal and refugees could be settled only through direct negotiations with the Arab States and the conclusion of a comprehensive peace treaty. Syria rejected the Council action, maintaining that the resolution had linked the central issue of Israeli withdrawal to concessions demanded from Arab countries. The Palestine Liberation Organization (PLO) strongly criticized the resolution, which it said reduced the question of Palestine to a refugee problem.

PALESTINIANS' REFUGE IN LEBANON

Lebanon increasingly became the focus of conflict in the Middle East in the middle and late 1970s. Many of those who fled the northern and coastal regions of Palestine in 1948 had found refuge in camps around the Lebanese towns of Tyre, Sidon and Beirut. Another wave of Palestinians came in from Jordan in 1970, and unrest steadily increased in southern Lebanon. The situation along the Israeli-Lebanese border had deteriorated by early 1972. Israel, stating that it was retaliating against raids by Palestinian commandos into its territory, attacked refugee camps in Lebanon. At the request of Lebanon, UNTSO set up in April 1972 a cease-fire observation operation along the border.

The south of Lebanon remained tense. Israeli forces invaded southern Lebanon in March 1978, following a Palestinian commando raid into Israel. The Security Council called on Israel to withdraw its forces from Lebanese territory and, at the request of Lebanon, established the United Nations Interim Force in Lebanon (UNIFIL), with a mandate to confirm the withdrawal of Israeli forces, restore peace and security, and assist the Lebanese Government to re-establish its authority over the south of the country. However, when Israeli forces completed their withdrawal from Lebanon in June 1978, they handed over their positions in the border area not to UNIFIL, but to Christian and associated militias supported by Israel.

Southern Lebanon remained volatile, with frequent exchanges of fire between the Christian militias and the Israeli forces on the one hand and armed elements of the PLO and the Lebanese National Movement on the other. Efforts by the United Nations and the United States led to a de facto cease-fire in July 1981, and the area remained generally quiet until May 1982. Then, following attacks on Israeli diplomats in London and Paris, Israel carried out air strikes against PLO targets in Lebanon. Fighting broke out once again between Israeli and PLO forces.

On 5 June, the Security Council called for an immediate halt of all military activities within Lebanon and across the Israel-Lebanon border. The PLO reaffirmed its commitment to stop all military operations across the border, and Israel informed the Secretary-General that the Council's resolution would be brought before the Israeli Cabinet. The next day, 6 June, Israeli forces invaded Lebanon. UNIFIL positions in southern Lebanon were either overrun or bypassed, and later the Israeli forces reached and surrounded Beirut.

Continuing to meet in June, July and August of 1982, the Council demanded that Israel lift its blockade of Beirut so that civilians in the city could be supplied. It authorized the deployment of United Nations military observers, known as Observer Group Beirut, to monitor the situation in and around the city.

In August, during the siege of West Beirut by Israeli forces, France, Italy and the United States, upon the request of the Government of Lebanon, sent to the city a multinational force to assist in the orderly and safe departure of Palestinian armed personnel from Lebanon. The evacuation of Palestinian forces from the Beirut area was completed on 1 September 1982, and the multinational force was withdrawn over the next two weeks.

Tension increased greatly with the assassination, on 14 September 1982, of Lebanon's President-elect Bashir Gemayal. The next day, units of the Israeli forces moved forward into West Beirut. On 17 September, hundreds of Palestinian civilians, including women and children, were massacred in the refugee camps of Sabra and Shatila by Lebanese Christian militias which had entered West Beirut with the Israeli forces. The Security Council condemned the "criminal massacre of Palestinian civilians in Beirut", and the Government of Lebanon requested the return of the multinational force.

Contingents from France, Italy and the United States, who were later joined by a small unit from the United Kingdom, went back to Beirut in late September 1982. The multinational force encountered serious obstacles in its task, and suffered heavy casualties. Italy, the United Kingdom and the United States withdrew their personnel in early 1984, followed by France on 31 March 1984, thus ending the 19-month multinational effort.

In June 1983, clashes broke out in eastern Lebanon between different Palestinian factions, causing widespread suffering among Palestinian civilians. Then the focus of tension among Palestinians shifted to northern Lebanon, around the city of Tripoli. An agreement was finally reached between the parties, which provided for a cease-fire and the evacuation of PLO Chairman Yasser Arafat and the armed elements of the PLO loyal to him. In response to a request by him, the Secretary-General decided on humanitarian grounds to authorize the flying of the United Nations flag on ships which would evacuate the PLO forces from Tripoli. The evacuation operation was carried out on 20 December 1983, and thousands of Palestinians had to seek refuge in Tunisia, Yemen and other countries. Since then, the PLO has maintained its headquarters in Tunis.

In January 1985, the Israeli Government announced that some Israeli troops would continue to operate in a "security zone" in South

Lebanon and act as advisers to the so-called "South Lebanon Army" (SLA). This remains Israel's policy.

The Security Council has regularly extended UNIFIL's mandate, and the force continues to operate in southern Lebanon.

GROWING RECOGNITION OF PALESTINIAN RIGHTS

In the question of Palestine, international attention during the 1950s and the early 1960s focused primarily on the problem of Palestinian refugees and inter-State conflict. Following the 1967 war, the question of Palestine began to be understood in a broader political context. There was a resurgence of activity by Palestinians to achieve their national rights. The Palestine Liberation Organization (PLO), which had been established in 1964, adopted a new National Charter in 1968. The document stated that the international community had so far failed to discharge its responsibility, and called for continuing the fight to achieve Palestinian rights.

In December 1969, the General Assembly recognized that "the problem of the Palestine Arab refugees has arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights". In September 1974, 56 Member States proposed that "the question of Palestine" be included as an item in the General Assembly's agenda. They pointed out that the question of Palestine and the status and fate of the Palestinian people had not appeared as a separate item before the Assembly for more than 20 years. Their proposal was accepted, and the question of Palestine has since again been part of the Assembly's agenda.

General Assembly resolution 3236 (XXIX) of 22 November 1974 reaffirmed the inalienable rights of the Palestinian people, which included the right to self-determination without external interference, the right to national independence and sovereignty, and the right to return to their homes and property. The rights of the Palestinian people, as set forth by the Assembly in 1974, have been reaffirmed every year since.

Also in 1974, the Assembly invited the PLO to participate in its proceedings with observer status, as representative of the Palestinian people.

In 1975, the General Assembly committed itself further to the question of Palestine by establishing the Committee on the Exercise of the Inalienable Rights of the Palestinian People. The Committee was asked to prepare a programme to enable the Palestinians to exercise their inalienable rights, and the Committee's 1976 recommendations were divided into two parts: one concerned the Palestinians' right of return to their homes and property, and the other dealt with

their rights to self-determination, national independence and sovereignty.

The Security Council discussed the Committee's report but was unable to reach a decision due to the negative vote of the United States, a permanent member of the Council. The Council took up the matter again on subsequent occasions, but it adjourned each time without taking a decision.

Through 1993, the Committee has monitored the situation with regard to rights of the Palestinians and brought its findings before the General Assembly and the Security Council. Its programme of seminars, symposia and other activities has helped increase awareness of the question of Palestine at the international level, and focused efforts on the need for achieving a peaceful settlement based on the exercise of the inalienable rights of the Palestinian people.

INTIFADAH (THE UPRISING)

In early December 1987, following an incident in Gaza, the Palestinians of the West Bank and Gaza rose up against the Israeli occupation in spontaneous protest. The Palestinians continued their *intifadah* (uprising) in the following years, focusing unprecedented international attention on their national aspirations and on their unequivocal opposition to the occupation.

Conditions in the Palestinian territory during more than 20 years of military occupation, including land confiscation, settlement by Israeli settlers and restrictions of civil liberties, contributed to the eruption of the *intifadah*. Palestinians from all walks of life—youth, merchants, labourers, women and children—have since been involved in massive demonstrations, economic boycotts, strikes, tax resistance and stone-wielding protests.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have followed the situation closely.

They have submitted reports on the severe measures, including the use of live ammunition against demonstrators and punitive beatings, adopted by the occupation authorities. Well over 1,000 Palestinians have been killed and tens of thousands injured during the *intifadah*. Thousands of Palestinians were detained, thousands transferred to prisons in Israel, and many deported from the occupied Palestinian territory. The reports described instances of maltreatment and torture in gaol, lethal use of tear-gas, excessive use of live ammunition, beatings and other severe measures. The occupation authorities had also increasingly resorted to various forms of collective reprisal, such as demolition of houses, imposition of prolonged curfews and restrictive economic measures.

The educational system came to a halt when schools and universities were closed for extended periods and informal teaching arrangements prohibited. Social services were curtailed and media and civic organizations outlawed. Tens of thousands of productive trees were uprooted and crops destroyed. Acts of violence and aggression by Israeli settlers had increased in both scope and gravity, the reports said. In this situation, Palestinians attempted against all odds to overcome severe economic hardship through reliance on their community-based economy.

The Security Council, the General Assembly and the Secretary-General responded with deep concern to the measures taken by the occupation authorities against the *intifadah*. Since the very beginning of the uprising, starting with Security Council resolution 605 (1987) of 22 December 1987, the question of how to ensure the safety and protection of Palestinians in the occupied territory in accordance with the (Fourth) Geneva Convention relative to the Protection of Civilian Persons in Time of War has received special attention.

A number of measures initiated in the Security Council in this regard were not adopted, owing to a lack of consensus among the permanent members. However, on 20 December 1990, the Security Council unanimously requested the Secretary-General to make new efforts on an urgent basis to monitor and observe the situation of Palestinian civilians under Israeli occupation, and urged Israel to apply the Fourth Geneva Convention to all occupied territories. Israel, however, has rejected the legal applicability of the Convention, while stating that it respects it de facto.

SEARCH FOR A PEACEFUL SETTLEMENT

Throughout the 1970s and into the 1980s, efforts were made within and without the United Nations to resume and conclude the peace negotiating process in order to resolve the diplomatic deadlock in the Middle East and achieve a comprehensive peace in the wake of the 1973 Arab-Israeli war. Immediately upon the outbreak of hostilities in October 1973, the Security Council unanimously adopted resolution 338 (1973), calling for an immediate truce and cessation of all military activity. The resolution asked the parties to begin implementation of resolution 242 (1967) "in all of its parts" immediately after a cease-fire. It also called on the parties to begin, immediately and concurrently with the cease-fire, negotiations under appropriate auspices for establishing a just and durable peace in the Middle East.

In December 1973, an International Peace Conference was convened in Geneva under United Nations auspices and the joint chairmanship of the Soviet Union and the United States. Egypt, Israel and Jordan were represented in the conference, but Syria refused to take part. After three meetings, the Conference adjourned indefinitely, but it agreed that work would continue through a Military Working Group.

The Working Group played an important role in reaching agreements on the disengagement of forces between Egypt and Israel in January 1974 and October 1975. It was also involved in the conclusion of a disengagement agreement between Syria and Israel in May 1974. These agreements were carried out with the assistance of the United Nations peacekeeping forces: UNEF II in the Egypt-Israel sector and the United Nations Disengagement Observer Force (UNDOF) in the Israel-Syria sector.

From 1974 to 1977, efforts were made at various levels to promote a resumption of the negotiating process. The Security Council repeatedly requested the parties to implement resolution 338 (1973). Calls for resuming the Geneva Peace Conference were made at various times by the General Assembly. In early 1977, after a visit to the Middle East, the Secretary-General reported to the Security Council that fundamental differences between the parties had prevented agreement on the resumption of the Conference. The most immediate difficulty had been the question of the participation by the PLO, rejected by Israel.

A new element in the Middle East situation was introduced in November 1977, when Egyptian President Anwar al-Sadat visited

Jerusalem. Subsequently, direct negotiations between Egypt and Israel, with the United States as intermediary, led in September 1978 to the signing of two frameworks for peace agreements, known as the Camp David accords. Despite strong opposition from most other Arab States and the PLO, the accords resulted in the signing of a peace treaty between the two countries in March 1979. The treaty led to the withdrawal of Israeli forces from the Sinai in April 1982.

On 1 September 1982, following the Israeli invasion of Lebanon and the evacuation of PLO fighters from Beirut, United States President Ronald Reagan called for self-government by the Palestinians of the occupied territories in association with Jordan, saying that such an association offered the best opportunity for "a durable, just and lasting peace". He also called for a freeze in the establishment of Israeli settlements. His peace initiative was based on the "land for peace" formula reflected in Security Council resolutions 242 (1967) and 338 (1973).

That same month, the Twelfth Summit Conference of the League of Arab States at Fez, Morocco, adopted a declaration calling for the withdrawal of Israel from territories occupied in 1967, dismantling of Israeli settlements in the occupied territories, reaffirmation of the Palestinian right of self-determination, and establishment of an independent Palestinian State after a transitional period under the control of the United Nations. The Fez Declaration also called for the Security Council to guarantee peace "among all States of the region, including the independent Palestinian State". Later that year, the General Assembly welcomed the Arab peace plan.

Meanwhile, the General Assembly, concerned that a just solution to the question of Palestine had not been achieved, decided in 1981 to convene an international conference on the subject. The International Conference on the Question of Palestine took place at the United Nations Office in Geneva from 29 August to 7 September 1983. It was attended by representatives of 137 States—117 as full participants and 20 as observers—as well as by the PLO. This initiative did not receive the support of all parties: Israel, the United States and some other countries expressed their opposition to the holding of the Conference.

The Conference adopted by acclamation a Declaration on Palestine, and approved a Programme of Action for the Achievement of Palestinian Rights. The Programme recommended measures to be taken by States, United Nations organs and intergovernmental and non-governmental organizations. The Conference considered it essential that an international peace conference on the Middle East be convened under United Nations auspices, with participation on an equal footing of all parties to the Arab-Israeli conflict.

Later in 1983, the General Assembly endorsed the Declaration and welcomed the Geneva Conference's call for an international peace conference on the Middle East. Throughout the 1980s, the Assembly reaffirmed, with increasing support, the call for convening the proposed conference.

In December 1988, the General Assembly, meeting at Geneva to hear a statement by PLO Chairman Yasser Arafat, expressed unprecedented support for the convening of the proposed peace conference. General Assembly resolution 43/176, adopted by a vote of 138 in favour to two against, with two abstentions, called for the convening of the International Peace Conference on the Middle East, under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination.

The General Assembly meeting followed on the heels of a significant meeting, in November 1988, of the Palestine National Council (PNC) in Algiers. Motivated in part by Jordan's disengagement in July 1988 of all legal and administrative ties with the West Bank, the PNC issued two ground-breaking documents. The first was a Political Communiqué which affirmed the determination of the PNC to reach a comprehensive political settlement on the question of Palestine within the framework of the Charter and the resolutions of the United Nations; the second was the Proclamation of the Independence of the State of Palestine, in which the PNC announced the establishment of the State of Palestine, with Jerusalem as its capital, under the provisions of international law, including General Assembly resolution 181 (II) of 1947, which had provided for the partition of Palestine into an Arab and a Jewish State. The PLO had, with these two documents, in effect recognized the State of Israel. Mr. Arafat affirmed this explicitly during the December General Assembly in Geneva, recognizing "the right of all parties concerned in the Middle East conflict to exist in peace and security . . . including the States of Palestine, Israel and other neighbours, according to resolution 242".

Several proposals were made in 1989: Israel adopted a peace initiative, which included elections, based on its previous positions; Egypt proposed principles in connection with a possible peace process and any resulting elections in the occupied Palestinian territory; and United States Secretary of State James Baker laid out his own response to the Israeli plan, which contained four principles for advancing the Middle East peace process, principles based on Secu-

rity Council resolutions 242 and 338, which did not admit either to Israeli retention of permanent control of the West Bank and Gaza Strip or to an independent Palestinian entity. For its part the Security Council agreed, in a statement made by its President on 20 December 1990, that an international conference, at an appropriate time, should facilitate efforts to achieve a negotiated settlement and a lasting peace in the Arab-Israeli conflict.

By 1991, global changes such as the end of the cold war, the adjustments in the foreign policy of the major Powers, and the Gulf War and its aftermath, also affected the Middle East situation. The negotiation process resumed in earnest in October 1991, with the convening of the historic Peace Conference on the Middle East in Madrid under the twin chairmanship of the United States and the Soviet Union. A representative of the United Nations Secretary-General attended the Conference as an observer.

The formula for the modalities of the peace process was both complicated and transparent, allowing for Israel's requirement for one-on-one negotiations while at the same time inaugurating the process with the appearance of an international conference. It created a bilateral negotiation track for Israel and neighbouring Arab States (Lebanon, Jordan and Syria) and the Palestinians, who were included in a joint Jordanian-Palestinian delegation. In addition, simultaneous multilateral negotiations began in January 1992 on regional aspects of a variety of issues for all participants and other interested States. And, while the United Nations was not a participant, the underpinnings of the conference were Security Council resolutions 242 and 338.

In 1992, the United Nations was invited by the co-sponsors, the United States and the Russian Federation (formerly the Soviet Union), to take part in the multilateral negotiations as a full participant. The Secretary-General in 1993 appointed Mr. Chinmaya Gharekhan as his special representative at the Middle East multilateral talks, whose task is to coordinate the role of the United Nations in the Working Groups on Arms Control and Regional Security, Water, Environment, Economic and Regional Development, and Refugees.

By mid-1993, it appeared that the bilateral talks had stalled on a variety of political and security issues. There seemed to be no progress in solving significant questions between the Israelis and, respectively, the Palestinians, Syria, Jordan and Lebanon. Unbeknown to all but a handful of individuals, however, secret talks between Israel and the PLO were taking place in Norway.

The secret "Oslo connection", originally instigated by a private Norwegian citizen together with a senior PLO official and an Israeli academic in late 1992, progressed under the guidance of the late Norwegian Foreign Minister Johan Joergen Holst. The Oslo talks were

brought to conclusion in late August 1993, and the news of an Israeli-PLO agreement was broken to a startled and hopeful world.

On 10 September 1993, Israel and the PLO exchanged letters of mutual recognition. The PLO recognized Israel's right to exist, and Israel recognized the PLO as the representative of the Palestinian people.

Three days later, on 13 September 1993, at a ceremony at the White House in Washington, D.C., in the presence of US President Bill Clinton and Russian Foreign Minister Andrei V. Kozyrev, Israeli and PLO representatives signed the Declaration of Principles on Interim Self-Government Arrangements. Following the signing, Israeli Prime Minister Itzhak Rabin and PLO Chairman Yasser Arafat shook hands.

The historic agreement opened the way for eventual Palestinian self-rule, providing for Israeli withdrawal and the establishment of an interim Palestinian self-government, first in the Gaza Strip and in the West Bank town of Jericho, and later in the rest of the West Bank. Other sensitive issues, such as Israeli settlements, Jerusalem, the return of Palestinian refugees, future boundaries and the status of Palestine are envisaged for further negotiations, which are to begin no later than two years after Israeli withdrawal from the Gaza Strip and the Jericho area. This withdrawal marks the beginning of a five-year interim period, at the end of which it is expected that the negotiations will have led to a permanent settlement implementing Security Council resolutions 242 and 338.

The signing of the Declaration of Principles was welcomed by United Nations Secretary-General Boutros Boutros-Ghali. One of the practical effects of the agreement was to intensify the operational role of the United Nations in providing assistance to the Palestinian people.

While the full extent of United Nations involvement in contributing to implement the peace will become clearer as this decade progresses, there is no doubt that the international community, as expressed in the world body, has shown great eagerness to support and participate in the new era of Palestinian-Israeli relations. This is seen not only in the world's response to Palestinian economic and developmental needs, but also in the body politic which is the General Assembly.

At the 1993 session of the General Assembly, the resolution passed for several years calling, in one way or another, for the convening of an international peace conference under United Nations auspices was replaced by one entitled "Peaceful Settlement of the Question of Palestine", which expressed support for the Declaration of Principles, while reaffirming a number of principles that should

guide a final settlement. The resolution reaffirms the United Nations' abiding responsibility for the question of Palestine and requests the Secretary-General to continue his efforts with the parties, in consultation with the Security Council, for the promotion of peace in the region. A resolution entitled "Middle East Peace Process", welcoming the new developments, was sponsored by more than 100 countries and received an unprecedented majority. At the same time, the resolution on the *intifadah*, which the General Assembly had adopted every year since 1988, was deferred.

Following lengthy and difficult negotiations on the implementation of the Declaration of Principles, Israel and the PLO took a first major step on 4 May 1994 in Cairo, by concluding an accord on Palestinian self-rule in Gaza and Jericho. The accord provided for Israel's withdrawal from the Gaza Strip and the Jericho area, and granted Palestinians a measure of self-government for the first time. Palestinians were given control over their internal political arrangements and daily affairs, including elections, tax collection and the passing and enforcement of legislation; a 24-member Palestinian authority was established, with legislative and executive powers. Palestinians were also to establish their own police force of up to 9,000 officers.

The accord marked the beginning of the five-year interim period for negotiating a settlement of the permanent status of the occupied Palestinian territory.

2

ISSUES

PALESTINIAN REFUGEES

The hostilities which accompanied the establishment of the State of Israel in 1948 resulted in almost 750,000 Palestinian refugees. Most of them fled to the West Bank, held by Jordan. Others went to the Gaza Strip, held by Egypt, to Jordan, Lebanon, Syria, Egypt, and even farther afield. The Arab-Israeli war of 1967 led to yet another displacement of more than 500,000 Palestinians. Of these, some 240,000 were refugees uprooted for a second time.

The General Assembly adopted in November 1948 its first resolution on providing assistance to Palestine refugees. In response to a report of Acting Mediator Ralph Bunche that "the situation of the refugees is now critical", it established United Nations Relief for Palestine Refugees (UNRPR). During its brief existence, UNRPR channelled emergency assistance to refugees from Palestine through international voluntary agencies.

On 11 December 1948, the Assembly declared in resolution 194 (III) that refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that those choosing not to return should be compensated for their property. The resolution established the Conciliation Commission for Palestine, which was requested, among other things, to facilitate the refugees' repatriation, resettlement and economic and social rehabilitation. Efforts by the Commission to secure the return of the Palestinians have been unsuccessful.

As hopes for the immediate return of refugees to their homes faded, the General Assembly made more lasting arrangements. In December 1949, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to succeed UNRPR and to carry out refugee-related activities in collaboration with local Governments.

In May 1950, UNRWA, from its headquarters in Beirut, took over operations put together by international voluntary agencies. In the first few years of its work, UNRWA concentrated on providing immediate relief in the form of food, shelter and clothing. It has adjusted its programme over the years in keeping with changing needs of the refugees.

Today, education for Palestinian children accounts for nearly 50 per cent of the Agency's funds; over 18 per cent of UNRWA's expenditures are on health services, while 11 per cent is spent on providing basic relief and social services. Over 390,000 children were

enrolled in UNRWA's 641 elementary and preparatory schools in the 1992-93 school year. In 1993, UNRWA disbursed $306 million for its regular and special programme.

UNRWA was in 1993 serving over 2.8 million registered refugees—almost half of the estimated Palestinian population. Less than one third of those registered live in refugee camps in the occupied territories and in Arab host countries. The Agency's relief services provide those unable to earn a living with food, blankets, clothing and small cash grants. Under the professional guidance of the World Health Organization (WHO), UNRWA provides preventive, curative, rehabilitative and trauma-related medical services. Education has been a joint undertaking of UNRWA and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

UNRWA's vital humanitarian role was reinforced in recent years by events in Lebanon and the uprising (*intifadah*) in the West Bank and Gaza Strip, as well as by the Gulf War of 1991 and the prolonged closures of the occupied Palestinian territory since then.

In the mid-1970s, the beginning of the civil war in Lebanon resulted in heavy casualties and suffering among the Lebanese and Palestinians, and UNRWA was forced to move its headquarters out of Beirut. The Lebanon emergency caused by the 1982 Israeli invasion created the most difficult working conditions for the Agency, and led it to establish an emergency operation to cope with the crisis faced by Palestinians in the country. Later in the 1980s, fighting in Beirut caused considerable destruction of refugee housing and UNRWA facilities.

The *intifadah*, with its resultant strike days, as well as curfews, closed military areas and other punitive measures imposed by the Israeli authorities, exacted a significant economic and commercial toll on the territory. The Agency extended its emergency-related fund to finance urgently needed activities in the occupied territory.

The number of international staff serving with UNRWA in the occupied Palestinian territory was increased from 15 to 51 between 1988 and 1993. They provided a measure of international protection, by helping to defuse tense situations, averting maltreatment of vulnerable individuals, reducing interference with the movement of ambulances, and facilitating the provision of food and medical aid during curfews.

Following the 13 September 1993 signing of the Declaration of Principles on Interim Self-Government Arrangements, UNRWA, recognizing that the resolution of the refugee problem is one of the issues to be addressed later, within the framework of a permanent solution after the interim arrangement for the West Bank and Gaza is in place, introduced a major new initiative, the Peace Implementa-

tion Programme. The Programme's priorities are to enhance the social and economic lives of Palestinian refugees in the West Bank and Gaza. Projects include construction and social development, business loans, training programmes, income generation, upgrading schools and women's and youth activity centres and addressing complex problems of environmental health. UNRWA works in cooperation with the World Bank, other United Nations agencies, local and international non-governmental organizations, host Governments and the emerging Palestinian authorities. All these activities seek to contribute to sustaining the momentum of positive change set in motion by the signing of the Declaration of Principles.

UNRWA has always recognized that it is a temporary and ad hoc agency. In the context of the Declaration of Principles and the emerging Palestinian authority, which will have competence in all the sectors in which UNRWA operates, the Agency, with its large Palestinian staff of some 20,000, is focusing on areas for which Palestinians will soon assume responsibility.

The Commissioner-General of UNRWA, addressing the Special Political and Decolonization Committee of the General Assembly in November 1993, affirmed that, despite UNRWA's continuing, strong responsibilities over the next few years, "we now have a concrete sense that we are coming towards the end of the task entrusted to us over 40 years ago. From now on, our main concern will be to complete this task as successfully as possible."

ISRAELI SETTLEMENTS IN THE OCCUPIED PALESTINIAN TERRITORY

As early as 1971, there had been evidence of an emerging Israeli policy of establishing settlements in the Palestinian and other Arab territories occupied since 1967. From 1977 on, the establishment of Israeli settlements was accelerated, and continues to this date. Today, there are about 120,000 settlers in the West Bank, not including East Jerusalem, and 4,000 in the Gaza Strip.

Addressing the issue in March 1979, the Security Council reaffirmed the applicability of the Fourth Geneva Convention, which prohibits settlements in occupied territory, and declared that Israeli policy and practice regarding settlements had "no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East". The Council asked Israel not to take any action which would change the legal status, geographical nature and demographic composition of the Arab territories occupied since 1967. In particular, it asked Israel not to transfer part of its own civilian population into the occupied territories. It established a three-member Security Council Commission to examine the situation relating to the Israeli settlements.

In July 1979, the Council strongly deplored Israel's lack of cooperation with the Commission in preparing its report, and emphasized the need to confront the issue of existing settlements. It called upon "the Government and people of Israel to cease, on an urgent basis, the establishment, construction and planning of settlements".

In June 1980, following assassination attempts against the mayors of three Palestinian towns, the Council called upon States not to provide Israel with any assistance to be used specifically in connection with the Israeli settlements. It was deeply concerned that the Jewish settlers in the occupied territories were allowed to carry arms, thus enabling them to perpetrate crimes against the civilian Arab population.

The Assembly in 1983 requested the Secretary-General to prepare a comprehensive report on the current and future impact of Israeli settlements on the living conditions of Palestinians. The Secretary-General's 1984 report on the direct impact of Israeli settlements concluded that Israeli policies of occupation, in particular the establishment of settlements, had a negative impact on the social and economic life of Palestinians in the occupied territories. Further reports reaffirmed these conclusions.

In 1992, after the coming to power of a Labour Government in Israel, there were hopes for significant change in the settlement policy. The Labour Party's platform vowed that new settlements would not be established, and existing settlements would not be expanded except for those in "Greater Jerusalem", the Jordan Valley and the Golan Heights. Settlements in the latter two regions were referred to as "security settlements" as opposed to "political settlements", which had been established in and around Palestinian population centres. But outside the above-mentioned regions, the new Government remained committed to building or completing an additional 11,000 new units in the territories, capable of housing 50,000 more Israeli settlers. The Greater Jerusalem area, encompassing today about 100 square miles radiating from the Old City, continues to be open for settlement.

The Declaration of Principles of 13 September 1993 states that the issue of settlement is to be deferred to the permanent status negotiations, which are to begin no later than the beginning of the third year after the start of the interim period. Israel will, in the mean time, retain legal and administrative authority over the settlements and their inhabitants, and be responsible for their security.

THE STATUS OF JERUSALEM

The General Assembly partition resolution 181 (II) of 1947 envisaged a demilitarized Jerusalem as a separate entity under the aegis of the United Nations Trusteeship Council, which would draft a statute for Jerusalem and appoint a Governor. A legislature would be elected by universal adult suffrage. This statute would remain in force for 10 years and then be duly examined by the Trusteeship Council, with citizens' participation through a referendum.

The ensuing hostilities prevented the implementation of the resolution. Israel occupied the western sector of the Jerusalem area, and Jordan occupied the eastern sector, including the walled Old City. Thus came into existence a de facto division of Jerusalem.

The General Assembly, however, by resolution 194 (III) of 11 December 1948, reaffirmed both the principle of internationalization and existing rights. The Arab States, refusing to recognize Israel, did not accept it. Israel also ignored the resolution and moved to extend its jurisdiction to that part of Jerusalem it had occupied. On 23 January 1950, Israel declared Jerusalem its capital and established government agencies in the western part of the city. Jordan, for its part, moved to formalize its control of the Old City; however, Jordanian legislation indicated that this action did not prejudice the final settlement of the Palestinian issue.

The war of June 1967 radically changed that situation. As a result of the war, Israel occupied East Jerusalem and the West Bank. Since then, a number of demographic and physical changes have been introduced, and both the General Assembly and the Security Council in several resolutions have declared invalid the measures taken by Israel to change the status of Jerusalem. Security Council resolution 252 (1968) in particular is explicit in this regard. In it, the Council considered "that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status". Israel was urgently called upon "to rescind all such measures already taken and to desist forthwith from taking any further action which tends to change the status of Jerusalem". The Security Council has reaffirmed these two positions many times.

When Israel took steps to make a united Jerusalem its capital, the Security Council on 30 June 1980 adopted resolution 476 (1980). After Israel's non-compliance with the resolution, the Council on

20 August adopted resolution 478 (1980), in which it reiterated its position that all actions altering the status of the city were null and void, and called upon States that had established diplomatic missions at Jerusalem to withdraw them. The General Assembly also considered Israel's action to be a violation of international law which did not affect the continued applicability of the Fourth Geneva Convention. This understanding, affirmed by the Assembly in December 1980, has been reaffirmed in subsequent years.

During the 1980s, United Nations resolutions dealt with the Jerusalem issue in the wider context of the inadmissibility of the acquisition of territory by force and the applicability of the Fourth Geneva Convention to the Palestinian territories occupied by Israel since 1967. Jerusalem has been considered by both the General Assembly and the Security Council as part of the occupied territories.

More recently, as the international community and in particular the Security Council continued to follow with concern developments affecting the question of Palestine, two resolutions stand out as important actions of the Council. The first is resolution 672 (1990), adopted on 12 October 1990 following the violence which took place in Jerusalem at Haram Al-Sharif, where the Al Aksa mosque, the third holiest shrine in Islam, is situated. The Council, after condemning "especially the acts of violence committed by the Israeli security forces resulting in injuries and loss of human life", called upon Israel "to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, which is applicable to all the territories occupied by Israel since 1967".

The applicability of the Fourth Geneva Convention to Jerusalem was reaffirmed by the Security Council on 20 December 1990, when it expressed grave concern at the deteriorating situation in "all the Palestinian territories occupied by Israel since 1967, including Jerusalem", and called on Israel to abide by it.

Today, the officially registered Jewish population of annexed East Jerusalem, about 160,000, outnumbers the Palestinian population, which stands at about 155,000. The United States Department of State notes in its latest report to the US Congress that the Israeli Government has made no commitment to halt or reduce construction in East Jerusalem.

Under the terms of the Declaration of Principles on Interim Self-Government Arrangements, signed by Israel and the PLO on 13 September 1993, the permanent status negotiations on the issue of Jerusalem are to start not later than the beginning of the third year of the interim period.

At its most recent session, the General Assembly determined once again, in December 1993, that Israel's decision to impose its laws, jurisdiction and administration on the Holy City of Jerusalem was illegal and therefore null and void.

HUMAN RIGHTS IN THE OCCUPIED TERRITORIES

Concern for the human rights of the civilian population in the territories occupied by Israel during the 1967 war was first expressed by the Security Council in resolution 237 (1967), which, among other things, recommended to the Governments concerned the scrupulous respect of the humanitarian principles contained in the 1949 Fourth Geneva Convention. The Convention, on the protection of civilian persons in time of war, forbids the forcible transfer of inhabitants out of an occupied territory and the movement into the territory of the civilian population of the occupying Power. The Convention also deals with other matters, such as the treatment to be accorded to the protected persons of an occupied territory and to those under detention; it prohibits the imposition of collective penalties. Israel is a party to the Convention.

In December 1968, the General Assembly established a three-member Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, and asked it to submit reports whenever the need arose. The Israeli Government, since the very beginning, refused to allow the Special Committee to visit the occupied territories to conduct its mandated investigations. It has maintained that the Special Committee's establishing resolution was discriminatory in character and attempted to prejudge allegations the Special Committee was supposed to investigate.

Since 1970, the Special Committee has submitted to the General Assembly annual reports, complemented since 1989 by two additional periodic reports. Without direct access to the occupied territories, the members decided to base their reports on interviews, conducted during visits to the neighbouring States, with individuals having first-hand experience of the human rights situation in the occupied territories. Another source is the articles appearing in the Israeli press and in the Arab press published in the occupied territories. The territories considered by the Special Committee are the West Bank, including East Jerusalem, the Gaza Strip and the occupied Syrian Arab Golan.

The reports have documented the human rights situation in the occupied territories, including incidents linked to the *intifadah*, administration of justice, treatment of detainees, treatment of Palestinian

civilians, measures affecting fundamental freedoms, and the activities of Israeli settlers violating international law.

They have affirmed that, especially over the last decade, Israel continued its policy of de facto annexation through such measures as establishing or expanding settlements, confiscating property, transferring Israeli citizens to the occupied territories, deporting Palestinians from the territories, and encouraging or compelling Palestinians to leave their homeland. Such actions, the reports stated, have violated the obligations of Israel as a State party to the Fourth Geneva Convention.

The report of the Special Committee issued in November 1993, which covers the period September 1992–August 1993, strongly argues that, despite the ongoing peace process, there is a continued worsening of the human rights situation in the occupied territories. During the period under review, the report states, the civilian population has continued to suffer heavy casualties from measures employed by the Israeli authorities to repress the *intifadah*. An increased loss of life, especially among children, resulting in large measure from the continued deployment of undercover units, further relaxation in the rules for opening fire, and increased use of live ammunition, has been reported during the same period.

According to the report, the physical and psychological stress that the population of the occupied territories endure has been compounded by a series of unprecedented repressive measures taken by the Israeli authorities during this past year. At the end of 1992, the army started to carry out a new form of collective punishment, which consists of destroying entire neighbourhoods with heavy artillery fire during searches for wanted persons. Scores of innocent people were left homeless as a result of the searches, which were aimed at capturing a handful of fugitives.

The increase in violence in both the occupied territories and Israel led the Israeli authorities to impose a complete closure of the occupied territories on 31 March 1993. The closure created enormous hardships for the Palestinians, and deprived about 120,000 of them of their means of livelihood. It had a negative impact on the health situation in the occupied territories, since the most important medical facilities serving Palestinians are located in Jerusalem. Students were prevented from attending classes in areas in which they do not reside, and more than 25 per cent of the student population was unable to register on time in schools and universities. Access to both Muslim and Christian holy sites was also affected by the closure.

In addition, the report notes, the Palestinian population of the occupied territories has systematically been denied access to water

resources. The deliberate policy of economic pressure, such as the uprooting of trees, tax raids and administrative harassment, has continued. The administration of justice is characterized by a lack of due process of law and a frequent absence of basic legal safeguards for the Arab population. The practice of torture and ill-treatment during interrogation and after sentencing has continued.

The report also expressed concern about the deportation by Israel, in December 1992, of over 400 Palestinians, who spent the following year living in unsanitary and inhuman conditions between military lines in southern Lebanon, before being repatriated in December 1993. This action was strongly condemned by the Security Council, which reaffirmed the applicability of the Fourth Geneva Convention to the occupied Palestinian territory and demanded that Israel ensure the safe and immediate return of all those deported.

In February 1993, for the first time, the United Nations Commission on Human Rights decided to appoint a Special Rapporteur on human rights violations in the occupied Arab territories, including Palestine. In September 1993, Mr. René Felber, the former President of the Swiss Confederation, was appointed Special Rapporteur. He was invited to visit the occupied territories in January 1994—the first person with an official mandate from the Commission on Human Rights allowed to do so—and was able to talk freely with the persons he had wished to see. In his January 1994 report, the Special Rapporteur called on both Israeli and Palestinian authorities, as a matter of priority, to "take measures to contain th[e] violence, which may pose the most serious threat to the peace process".

But violence exploded again: on 25 February 1994, the killing of some 30 Palestinian worshippers in the Mosque of Ibrahim in Hebron by an Israeli settler, following attacks against settlers by Palestinians, was universally condemned and caused great concern for the future of the peace process, renewing calls for some form of international protection for Palestinians.

Reacting to the massacre, the Security Council on 18 March 1994 called for measures to guarantee the safety and protection of Palestinian civilians throughout the occupied territories, including a temporary international or foreign presence. Strongly condemning the massacre, the Council called upon Israel to continue to take measures, including the confiscation of arms, to prevent acts of violence by Israeli settlers.

UNITED NATIONS ASSISTANCE

It has long been held that the search for a comprehensive, just and lasting settlement in the Middle East should be accompanied by an effective role by the international community in promoting economic and social development in the occupied Palestinian territory.

While UNRWA has been delivering invaluable primary services to the Palestinian people for almost 45 years, many other United Nations organizations and bodies have contributed their expertise to improve the economic and social conditions of the Palestinian people. They have sent missions, carried out studies and provided assistance. In 1993, the United Nations provided services and implemented special projects in the West Bank and Gaza Strip amounting to nearly $250 million.

UNRWA, the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF) have an operational presence in the occupied Palestinian territory, providing humanitarian relief and development assistance. Other organizations include the World Health Organization (WHO), the International Labour Organisation (ILO), the United Nations Environment Programme (UNEP), the United Nations Conference on Trade and Development (UNCTAD), and the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Assistance to the Palestinian people became all the more important in the light of the Palestinian *intifadah*, which began in December 1987. The Israeli authorities imposed harsh restrictive measures, which led to further disruption of economic and social life in the occupied territory.

Recent developments in the region had a similar devastating impact on Palestinian economic activity. The expulsion of Palestinian workers from the Persian Gulf Arab countries in the aftermath of the 1991 Gulf War resulted in a new, major inflow of Palestinian refugees into Jordan, and to a lesser extent into the West Bank and Gaza, and nearly eliminated the financial remittances sent by those workers which helped support so many families in the territory. Finally, the closure of the occupied territory instituted by Israel in March 1993 resulted in a 40 per cent rate of unemployment in the Palestinian workforce.

Underscoring the United Nations emphasis on assistance as a vital component in the search for peace, and wishing to galvanize even greater and more coordinated efforts on the part of the United

Nations system, non-governmental organizations (NGOs) and the donor countries, the Committee on the Exercise of the Inalienable Rights of the Palestinian People convened, in April 1993 at UNESCO headquarters in Paris, the United Nations Seminar on Assistance to the Palestinian People.

The Seminar provided a framework for an exchange of views on the various aspects of assistance, and was attended by representatives of 17 United Nations bodies, 67 Governments and 19 NGOs. The situation in the occupied Palestinian territory, as described by numerous experts, was grim. International assistance was especially needed for developing the industrial sector, for creating and enhancing institutions to support private-sector development, for employment- and income-generating projects, for building infrastructure and for training middle and top management.

Among the conclusions reached by the seminar's participants was that "Israeli economic policy toward the occupied Palestinian territory had resulted in its underdevelopment [and that] Israel had used its control . . . to prevent or put obstacles in the way of assistance projects". But another conclusion stated that the international community had a growing expectation that a "threshold had been reached and that the Palestinian people would soon be able to take charge of its own future and to exercise its economic, as well as political, decision-making".

On 13 September 1993, with the signing of the Declaration of Principles, and in the immediate excitement surrounding the event, the conclusion of the Paris seminar could have seemed prophetic. The signing did, in fact, trigger renewal of major international efforts to identify and raise the funds necessary for development and reconstruction needs in the West Bank and Gaza. A major donor conference was held in Washington, DC, on 1 October 1993, at which various Governments pledged a total of $2.5 billion in support of the Palestinian people. United Nations Secretary-General Boutros-Ghali established a high-level Task Force for Economic and Social Development of Gaza and Jericho, and shortly thereafter presented an action plan called "Supporting the Transition: An Immediate Response of the United Nations to the Interim Period in the West Bank and Gaza Strip". The overriding goal of the United Nations response was to provide the kind of assistance which would afford Palestinians a new sense of opportunity and would concretely bolster the peace process.

The Task Force was comprised of the senior officials of the three United Nations agencies that have operational capacities in the occupied territories—UNRWA, UNDP and UNICEF. The assistance to be coordinated by these agencies during the first year of the interim

period would aim at two primary achievements: to support the capacity of the incoming Palestinian authority to assume responsibilities for services in education, health, social services, income generation, hospital care etc., and to improve the infrastructure of basic physical and social services.

These three agencies have in the past worked, and will continue to work, in close collaboration, developing delineated but complementary spheres of action during the transition period. UNDP will strengthen its support to the expansion of the economic base, public and civil administration, institution building, human resources management, and the role of women in future Palestinian institutions and governance. UNICEF will continue to support improving services for children and women in health and education. It will also encourage community-based activities and mobilize decision makers and opinion leaders, service providers and NGOs for improving the condition of children and women. UNRWA will strengthen its extensive array of health, relief and social services, as well as its environmental health and income-generation programmes.

In March 1994, the General Assembly established the post of Special Coordinator in the Occupied Territories, as recommended by the Secretary-General, to serve as a focal point for all United Nations economic, social and other assistance to the Palestinians in the occupied territories. The Coordinator will work to ensure a unified approach to economic and social development, and will be in constant contact with the United Nations specialized agencies, the World Bank, NGOs and the donor community.

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